GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:2513
ANSWERED ON:19.03.2002
CUSTODIAL DEATHS
RENUKA CHOWDHURY;SUSHIL KUMAR SAMBHAJIRAO SHINDE

Will the Minister of HOME AFFAIRS be pleased to state:

(a) the number and details of custodial deaths during the last one year and as on date, in the country, particulary in Delhi;

(b) whether the Government have conducted any inquiry into the causes and circumstances of such custodial deaths; and

(c) if so, the details thereof?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI CH. VIDYASAGAR RAO)

(a): The total number of cases of custodial deaths in Judicial Custody and Police Custody reported to the National Human Rights Commission during the last one year and as on date in all States/Union Territories (UTs) and particularly in Delhi are as under:-

Year	All States/UTs	Delhi
2000-2001	1037	37
2001-2002 (Till 13.3.2002)	1250	32

(b) & (c): Under section 176 of Cr. P.C., whenever a person dies in police custody, the nearest Empowered Magistrate shall hold an inquiry into the cause of death either instead of, or in addition to the investigation held by the officer authorized by the State Government. The Supreme Court of India have also recently issued directions, in October 2001, to all States and Union Territories to complete the inquiry in cases of custodial deaths within a period of four months and where it is not possible to do so, adequate reasons shall be recorded by the officer concerned and permission sought from the Session Judge of the concerned district for more time to complete the inquiry. It is expected that all the State Governments and Union Territories shall now implement the directions of the Supreme Court and complete the inquiries expeditiously.